

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1352

AN ACT

AMENDING TITLE 45, CHAPTER 2, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING
SECTION 45-595.01; RELATING TO WELLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 45, chapter 2, article 10, Arizona Revised Statutes,
3 is amended by adding section 45-595.01, to read:

4 45-595.01. Well drillers: continuing education: advisory
5 committee

6 A. AS A PREREQUISITE TO RENEWAL OF A LICENSE, A STATE LICENSED WELL
7 DRILLER SHALL PRESENT EVIDENCE SATISFACTORY TO THE DIRECTOR OF HAVING MET THE
8 CONTINUING EDUCATION REQUIREMENTS OF EITHER SUBSECTION B OR C.

9 B. THE BASIC CONTINUING EDUCATION REQUIREMENT FOR RENEWAL OF A LICENSE
10 IS COMPLETION BY THE APPLICANT DURING THE IMMEDIATELY PRECEDING YEAR OF
11 COURSES OR SEMINARS OF AT LEAST FOUR CREDIT HOURS. THE COURSES OR SEMINARS
12 AND THE AMOUNT OF CREDIT TO BE EARNED FOR EACH COURSE OR SEMINAR SHALL BE AS
13 APPROVED BY THE DIRECTOR.

14 C. AN APPLICANT FOR RENEWAL OF A LICENSE MAY SATISFY ALL OR PART OF
15 THE CONTINUING EDUCATION REQUIREMENTS BY PRESENTING EVIDENCE OF THE
16 FOLLOWING:

17 1. COMPLETION OF AN EDUCATIONAL PROGRAM OF STUDY DETERMINED BY THE
18 DIRECTOR TO BE EQUIVALENT FOR CONTINUING EDUCATION PURPOSES TO COURSES
19 APPROVED BY THE DIRECTOR PURSUANT TO SUBSECTION B.

20 2. PARTICIPATION OTHER THAN AS A STUDENT IN THE EDUCATIONAL PROCESSES
21 AND PROGRAMS THAT ARE APPROVED BY THE DIRECTOR AND THAT RELATE TO REGULATED
22 INDUSTRY OR TO TECHNOLOGICAL ADVANCES IN WELL DRILLING.

23 3. INSTRUCTION BY A LICENSED WELL DRILLER TO OTHER LICENSEES IN A
24 CONTINUING EDUCATION COURSE APPROVED BY THE DIRECTOR. AN INSTRUCTOR SHALL
25 RECEIVE THREE CREDIT HOURS FOR EVERY HOUR OF INSTRUCTION, EXCEPT THAT NO MORE
26 THAN FOUR CREDIT HOURS SHALL BE EARNED FOR INSTRUCTION IN ANY YEAR.

27 D. THE DIRECTOR SHALL ADOPT RULES TO ENSURE THAT A PERSON RENEWING A
28 LICENSE AS A WELL DRILLER FOLLOWS PRACTICES AND TECHNIQUES THAT PROVIDE A
29 HIGH DEGREE OF COMPETENCY AND PROTECTION TO THE PUBLIC. THE RULES SHALL
30 INCLUDE:

31 1. POLICIES AND PROCEDURES FOR OBTAINING APPROVAL OF COURSES AND
32 SEMINARS PURSUANT TO SUBSECTION B.

33 2. STANDARDS, POLICIES AND PROCEDURES TO BE APPLIED BY THE DIRECTOR IN
34 EVALUATING AN APPLICANT'S CLAIM FOR EQUIVALENCY IN ACCORDANCE WITH
35 SUBSECTION C.

36 3. STANDARDS, MONITORING METHODS AND SYSTEMS FOR RECORDING ATTENDANCE
37 TO BE EMPLOYED BY COURSE SPONSORS AS A PREREQUISITE TO APPROVAL OF COURSES
38 FOR CREDIT.

39 4. A REQUIREMENT THAT LICENSED WELL DRILLERS COMPLETE A DEPARTMENT
40 SPONSORED REVIEW COURSE COVERING ADMINISTRATIVE RULES FOR WELL DRILLERS AT
41 LEAST ONCE IN EVERY THREE YEAR PERIOD.

42 5. A REQUIREMENT THAT A WATER WELL DRILLERS ASSOCIATION, UNDER THE
43 AUTHORITY OF THE DIRECTOR AND BASED ON COURSE RECOMMENDATIONS FROM THE WELL
44 DRILLERS CONTINUING EDUCATION ADVISORY COMMITTEE, SHALL CREATE WELL DRILLERS

1 CONTINUING EDUCATION CLASS CRITERIA AND, UPON APPROVAL OF THE CRITERIA BY THE
2 DIRECTOR, ADMINISTER THE CLASSES.

3 E. IN ADOPTING RULES PURSUANT TO SUBSECTION D, THE DIRECTOR SHALL GIVE
4 CONSIDERATION TO COURSES OF INSTRUCTION, SEMINARS OR OTHER APPROPRIATE WELL
5 DRILLING EDUCATIONAL COURSES OR PROGRAMS DEVELOPED AND RECOMMENDED BY THE
6 WELL DRILLERS CONTINUING EDUCATION ADVISORY COMMITTEE. TOPICS FOR COURSES
7 AND SEMINARS SHALL INCLUDE OCCUPATIONAL HEALTH AND SAFETY, BUSINESS AND
8 OFFICE SKILLS, INTERPERSONAL SKILLS, TECHNICAL ASPECTS OF THE WELL DRILLING
9 INDUSTRY, GENERAL HYDROLOGY OR GEOLOGY, ADMINISTRATIVE REQUIREMENTS OF THE
10 INDUSTRY AND ANY OTHER SUBJECTS THAT THE DIRECTOR DETERMINES APPROPRIATE TO
11 INCREASE THE TECHNICAL SKILLS AND ABILITIES OF LICENSEES. THE DIRECTOR SHALL
12 DETERMINE THE NUMBER OF CREDIT HOURS TO BE EARNED FOR EACH COURSE OR SEMINAR
13 AND SHALL NOT ALLOW MORE THAN THREE CREDIT HOURS TO BE EARNED IN ANY ONE
14 COURSE OR SEMINAR OR ALL FOUR CREDIT HOURS TO BE EARNED IN THE SAME TOPIC.

15 F. THE WELL DRILLERS CONTINUING EDUCATION ADVISORY COMMITTEE IS
16 ESTABLISHED CONSISTING OF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE, ONE PERSON
17 WHO IS A REPRESENTATIVE OF A SUPPLIER OR MANUFACTURER OF WELL DRILLING
18 EQUIPMENT AND WHO IS APPOINTED BY THE DIRECTOR, ONE MEMBER WHO IS A TECHNICAL
19 ADVISOR IN THE FIELD OF WELL DRILLING AND WHO IS APPOINTED BY THE DIRECTOR
20 AND FOUR LICENSED WELL DRILLERS WHO ARE APPOINTED BY THE DIRECTOR. MEMBERS
21 OF THE COMMITTEE ARE NOT ELIGIBLE FOR COMPENSATION OR REIMBURSEMENT OF
22 EXPENSES. APPOINTED MEMBERS OF THE COMMITTEE SHALL SERVE FOR STAGGERED TWO
23 YEAR TERMS. INITIAL TERMS SHALL BE DETERMINED BY LOT.

24 G. THE DIRECTOR MAY WAIVE ALL OR A PORTION OF THE CONTINUING EDUCATION
25 REQUIREMENTS FOR GOOD CAUSE SHOWN BY AN APPLICANT FOR RENEWAL OF A LICENSE.

26 Sec. 2. Applicability

27 A. This act applies to persons who seek to renew their well drilling
28 licenses for any period on or after July 1, 2008.

29 B. From the effective date of this act through June 30, 2008, the
30 director of water resources may approve courses and seminars that are
31 reasonably intended to meet the requirements of this act, even if those
32 courses are not in compliance with rules subsequently adopted by the
33 director. The director shall approve sufficient courses and seminars to
34 allow licensees to comply with requirements of this act in fiscal year 2007-
35 2008.

36 Sec. 3. Purpose

37 The purpose of this act is to increase protection of groundwater
38 resources, increase compliance with well drilling rules, increase protection
39 for prospective well owners and increase public confidence in water well
40 contractors by requiring the contractors that renew their licenses to remain
41 current on regulatory, industry and technological advances.